

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Brad J. Montagne & Teri L.  
Montagne,

Plaintiffs,

v.

Civil No. 10-4515 (JNE/LIB)  
ORDER

Richard A. Wallin & R.A. Mitchell,

Defendants.

In a Report and Recommendation dated February 11, 2011, the Honorable Leo I. Brisbois, United States Magistrate Judge, recommended that Defendants' motion to dismiss be granted and that Plaintiffs' complaint be dismissed. Plaintiffs objected to the Report and Recommendation, and Defendants responded to that objection. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Docket No. 33]. Therefore, IT IS ORDERED THAT:

1. Plaintiffs' case is DISMISSED.
2. Defendants' motion to dismiss [Docket No. 6] is GRANTED.

Dated: March 7, 2011

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge